

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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PRESTIGE CAPITAL CORPORATION, :

Plaintiff, :

- against - :

ENTERTAINMENT DEVELOPMENT GROUP,
LLC, TERRY FRIEDBERG, and STEPHANIE
PHILLIPS, :

Defendants. :

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DOC #: _____
DATE FILED: 8/22/2012

STIPULATION AND ORDER GRANTING PRELIMINARY INJUNCTION

WHEREAS, on July 27, 2012, Plaintiff Prestige Capital Corporation (“Prestige”) moved pursuant to Rule 65 of the Federal Rules of Civil Procedure for a preliminary injunction: (i) directing Defendant Entertainment Development Group, LLC (“EDG”) to provide immediate access to Prestige to the books and records of EDG and (ii) enjoining EDG and its officers, directors, employees, members and agents from destroying, altering, mutilating, concealing, or disposing of the books and records during the pendency of this action.

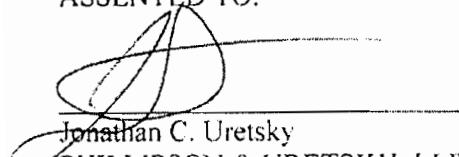
WHEREAS, subsequent to the filing of the motion for preliminary injunction by Prestige and prior to the date this Court set for oral argument, the parties agreed to the entry of this Order providing for EDG to make all of its books and records available to Prestige on the terms provided for herein. Accordingly:

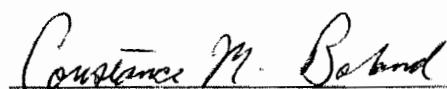
IT IS HEREBY AGREED AND ORDERED:

1. EDG shall provide Prestige with access to all of its books and records on the terms, and subject to the conditions, provided for herein.
2. Within five (5) business days following the entry of this Order, Defendant EDG shall provide Plaintiff Prestige with access to the known books, records of accounts and documents (including electronically stored information, tape recordings, voice messages, and computer discs) of EDG, as listed on Exhibit A to this Order, whether located at 100 United Nations Plaza, Apt. 33E, New York, New York 10017 or elsewhere, for the purpose of allowing Prestige to inspect and copy the same. The documents shall either be delivered to counsel for Prestige or made available for inspection at the offices of counsel for EDG. EDG shall not be required to provide Prestige access to any books and records that constitute privileged attorney-client communications so long as it segregates such documents and within fifteen (15) business days of the entry of this Order provides Prestige with a privilege log of such segregated documents. In the event that EDG is aware of the existence of any documents, but can not for good cause deliver the documents within five (5) business days of the entry of this Order, EDG shall provide Prestige with a description of the documents, their location, a summary of the reason(s) that they cannot be delivered, and shall provide Prestige with access as soon as practicable.
3. EDG may redact social security numbers from the documents. All rights of Prestige to seek further relief with regard to any redacted documents that are not delivered are reserved.

4. EDG, and all persons or entities who receive notice of this Order by personal service or otherwise, and its officers, directors, employees, members and agents are restrained and enjoined from directly or indirectly destroying, mutilating, erasing, altering, concealing, or disposing of, in any manner, directly or indirectly, any books, records, or documents that relate to the business practice or business finances of EDG.
5. Prestige shall be afforded the opportunity to depose Terry Friedberg on the afternoon of September 5, 2012, on matters related only to the books and records of EDG, including without limitation matters related to the existence, type, and location of said books and records. The deposition shall not exceed three hours. At or subsequent to the deposition Prestige may supplement Exhibit A and EDG shall produce the documents identified in the supplement within five (5) business days unless it identifies them as privileged and provides Prestige with a privilege log within fifteen (15) business days.

ASSENTED TO:


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SO ORDERED on this 22nd day of August, 2012.


The preliminary injunction hearing scheduled for August 22, 2012, at 3:00 p.m. is adjourned without date.


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE